

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

AFFIDAVIT

I, Anthony Cable, being first duly sworn, do hereby depose and state that:

1. Your affiant is a Deputy United States Marshal (DUSM) stationed in Springfield, Missouri. I have been employed with the United States Marshal Service (USMS) since 2008. Your affiant is authorized to conduct investigations in violations of Title 18, United States Code, Section 751. The statements contained in this affidavit are based on information your affiant has obtained during the course of this investigation or that have been provided to him by other law enforcement officers. This affidavit is not intended to include each and every fact and matter observed by me or known to the Government; instead, it is submitted solely as the basis for probable cause for a criminal complaint.

2. This affidavit is written in support of a criminal complaint, charging Michael WILLOUGHBY, (DOB: February 23, 1980, SSN: 496-84-3045), under Title 18, United States Code, Section 751(a)(b), for Escape from the Custody of the Attorney General or his Authorized Representative.

3. On June 22, 2010, WILLOUGHBY was indicted in the Western District of Missouri in Case Number 6:10-CR-03051-DGK.

4. On August 20, 2010, WILLOUGHBY pleaded guilty to Possession of a Firearm by a Felon and an Armed Career Criminal, pursuant to Title 18, United States Code, Sections 922(g)(1), and 924(e)(1) and (2)(B).

5. On November 30, 2010, WILLOUGHBY was sentenced in United States District Court, Western District of Missouri, to 205 months' incarceration, followed by five years of supervised release.

6. On January 23, 2012, after the Eighth Circuit Court of Appeals had mandated the re-sentencing of WILLOUGHBY, the District Court re-sentenced WILLOUGHBY to 114 months' incarceration, followed by three years of supervised release.

7. On May 9, 2018, in preparation for his release from the BOP, WILLOUGHBY transferred from the BOP facility at FCI Greenville, Illinois, to the Alpha House, a Springfield, Missouri, Residential Re-Entry Center (RRC). WILLOUGHBY was not set to be released from the custody of the Alpha House until September 7, 2018.

8. On June 4, 2018, WILLOUGHBY left with permission to go to work however it was later discovered by the Alpha House that his employment had been previously terminated. WILLOUGHBY was contacted on his cell phone and told to report back to the facility at approximately 4:30 PM. WILLOUGHBY returned to the facility at approximately 9:00 P.M. or 9:30 P.M the same day.

9. On June 5, 2018, WILLOUGHBY left the Alpha House without permission at approximately 7:25 A.M. Case Manager Molly Galen contacted WILLOUGHBY via phone between 9:30 A.M. and 11:00 A.M. and told WILLOUGHBY to return to the Alpha House. WILLOUGHBY agreed to return to the Alpha House. To date, WILLOUGHBY has failed to return to the custody of the Alpha House.

10. On the same date at approximately 11:08 a.m. WILLOUGHBY was placed on escape status and since has failed to report back to the facility.

11. On June 6, 2018, Deputy U.S. Marshal (DUSM) Anthony Cable interviewed WILLOUGHBY's case manager (CM), Molly Gallen at the Alpha House. CM Galen provided DUSM Cable with WILLOUGHBY's behavior contract with the Alpha House in which he initialed and signed on May 9, 2018. Included in the behavior contract is the acknowledgment that WILLOUGHBY received a copy of the Alpha House Residency Program Guide #1231. From previous investigations involving the Alpha House RRC, it is known that this guide specifically lists escape as a prohibited act, and defines it as, "[e]scape from escort; escape from any secure or non-secure institution, including community confinement; escape from unescorted community program or activity; escape from outside a secure institution."

12. Based on the above information, I, DUSM Cable, believes probable cause exists to charge WILLOUGHBY with a violation of Title 18, United States Code, Section 751, Escape.



DUSM Anthony Cable
U.S. Marshals Service

Sworn and subscribed to before me this 18⁺⁴ day of June, 2018



David P. Rush
United States Magistrate Judge